

PATENT
ATTORNEY DOCKET: 46884-5427

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Katsumi SHIBAYAMA)
Application No.: 10/550,689)
Filed: July 21, 2006)
For: PHOTODIODE ARRAY AND)
PRODUCTION METHOD THEREOF,)
AND RADIATION DETECTOR)

Examiner: Anh D. Mai

Group Art Unit: 2814

Confirmation No.: 4347

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT
TRANSMITTAL FORM

1. Transmitted herewith is a Response to Election/Restriction Requirement in response to the Office Action dated April 9, 2009.
2. Additional papers enclosed:

Submission of Replacement Drawing Sheets
 Replacement Drawing Sheets: ___ sheets with ___ figures
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicant's petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input checked="" type="checkbox"/> One month	\$ 130.00	\$ 65.00
<input type="checkbox"/> Two months	\$ 490.00	\$ 245.00
<input type="checkbox"/> Three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/> Four months	\$ 1,730.00	\$ 865.00

Extension of time fee due with this request: \$ 130.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS CURRENTLY PENDING						
	Claims Currently Pending		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	21	0	x \$52 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$220 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$390.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

No fee is to be paid at this time.

A fee in the amount of \$ **130.00** for the 1-month extension of time fee is to be charged to a credit card. WARNING: Information on this form may become public. **Credit card information should not be included on this form.**

The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


By:

Paul A. Fournier
Registration No. 41,023

Dated: May 21, 2009

Customer No. 055694

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